

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

JUSTIN MATTHEW WELLS,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-2520

OFFICER JOHN DOE #1, HPD;
OFFICER JOHN DOE #2, HPD,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the complaint be dismissed, without prejudice, and this matter be removed from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendation.¹

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DISMISSES** the complaint, **without prejudice**, and **MOVES** this matter from the docket of the Court, consistent with the findings and recommendations.

¹ The Proposed Findings and Recommendation was returned marked undeliverable. The Clerk of Court has no current address for Plaintiff.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: May 17, 2018



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE